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OFFICIAL CODE INTERPRETATION

CODE SECTION: Comm 10.001 Purpose. (1) The purpose of this chapter is to provide for safe storage, display, installation, operation, use, maintenance and transportation of flammable and combustible liquids and the equipment, facilities and buildings that are used to store, transfer and dispense them.

(2) (a) The rules of this chapter are intended to comply with s. 101.09 (3), Stats.

(b) The rules of this chapter are intended to comply with the flammable and combustible liquid related provisions of Subtitle I of the Hazardous and Solid Waste Amendments of 1984, Public Law 98-616 which extended and strengthened the provisions of the Solid Waste Disposal Act as amended by the Resource Conservation and Recovery Act (RCRA) of 1976 [42 USC 6912, 6991 (a) to 6991 (h)].

QUESTION: Does ch. Comm 10 apply to spray booths used to apply flammable and combustible liquids, even if the liquid is not stored in a tank?

ANSWER: Yes. "Standard for Spray Application Using Flammable and Combustible Materials" (National Fire Protection Association (NFPA) 33-2000) was duly and appropriately incorporated by reference into Comm 10 in Section Comm 10.25 (1) Wis. Adm. Code under the rulemaking authority granted to the department by ss. 101.02 (1), 101.02 (15) (h) to (j) and 101.14(1)(a), Stats. These statutes require the department to set standards for safety including fire safety and are not limited to liquids stored in tanks. This safety purpose of ch. Comm 10 is set out in s. Comm 10.001 (1).

By:



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